

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/14/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	X	
CARLOS SANCHEZ,	:	
	:	
Plaintiff,	:	
-against-	:	22-CV-1392 (VEC)
	:	
PARK AVENUE NORTH REALTY LTD.,	:	<u>ORDER</u>
UMDC PROPERTY MANAGEMENT, MOE	:	
YAGHOUBI,	:	
	:	
Defendants.	:	
-----	X	
VALERIE CAPRONI, United States District Judge:		

WHEREAS on November 9, 2022, the parties submitted a proposed settlement agreement for the Court's approval pursuant to *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), *see* Settlement Agreement, Dkt. 27; Settlement Agreement Ex. 1, Dkt. 27;

WHEREAS the proposed settlement provides for a total recovery of \$125,000, of which \$100,000 is a settlement for Plaintiff's wage-and-hour claims, and \$25,000 is a settlement for a related housing dispute, *see* Settlement Agreement at 2;

WHEREAS the proposed settlement provides that a third of the recovery (\$41,666.67) awarded to Plaintiff's counsel for fees and costs, *id.*;

WHEREAS Plaintiff estimates that his wage-and-hour claims, assuming a full recovery, are valued at approximately \$324,000, *id.*;

WHEREAS, although Plaintiff's counsel did not submit information regarding the number of hours billed or counsel's hourly rates, it is standard to award plaintiff's counsel one-third of the settlement amount in FLSA cases, *see Gaspar v. Pers. Touch Moving, Inc.*, 2014 WL 4593944 (S.D.N.Y. Dec. 3, 2015); and

WHEREAS, although the settlement agreement contains mutual general releases that are broader than Plaintiff's wage-and-hour claims, the settlement agreement provides Plaintiff with consideration beyond that consideration to settle the FLSA and NYLL claims.

IT IS HEREBY ORDERED that the proposed settlement agreement is approved as fair and reasonable. The Clerk of Court is respectfully directed to close this case.

IT IS FURTHER ORDERED that the conference scheduled for November 17, 2022, is hereby CANCELLED.

SO ORDERED.

Date: November 14, 2022
New York, NY



VALERIE CAPRONI
United States District Judge